

REMARKS

Applicant has cancelled claims 13-24 without prejudice to pursue those claims in a future case. Cancellation of those claims removes the anticipation rejections.

Claims 1-4, 6-12, and newly added claim 25, adopt the Examiner's proposed language of the heat rejecter being "attached to" the cryocooler. All claims as now presented include the requirement of the "c-shaped recesses" which are utilized to attach the heat pipes to the heat rejecter. In contrast, the Zapach reference relied upon by the Examiner for teaching this feature discloses a different structure, namely a "semi-circular vertical groove 36". Significantly, the groove is in "engagement around substantially half the circumference of the tube portion 38". (Zapach, column 4, lines 7-15). Zapach does not teach or disclose a "c-shaped" structure which would permit the containing of the heat pipe. In contrast, Zapach does not seemingly use the groove for a true containing function. The fact that numerous alternative structures exist for attachment of the heat pipes to the heat rejecter establishes that there is no suggestion to combine the primary invention with the claimed mode of attachment. Accordingly, the claims should not be rejected under § 103 on the art of record.

Applicant requests that the claims be allowed as now amended. Should any matter remain, Applicant requests that the undersigned be contacted by telephone.

Respectfully submitted,

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Dated: June 2, 2006

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